

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

**PEDRO ROSELLO, et. al.**

**Plaintiff**

**V.**

**BROWN & WILLIAMSON, et. al.**

**Defendants.**

**CIVIL NO. 97-1910 (JAF)**

**MOTION REQUESTING ENLARGEMENT OF TIME TO  
TO FILE OPPOSITION TO PLAINTIFFS MOTION  
TO ENFORCE ARBITRATION PROVISIONS**

**TO THE HONORABLE COURT:**

**COMES NOW** plaintiff, Commonwealth of Puerto Rico, through the undersigned attorney who appears on its behalf, and very respectfully avers and prays as follows:

1.0. On the 27<sup>th</sup> day of October 2006, Defendants in the above-captioned case file a motion titled as "Original Participating Manufacturer's Motion to Enforce the Arbitration Provisions of the Master Settlement Agreement." Also, a Memorandum of the Original Participating Manufacturers in Support of Motion to Enforce the Arbitration Provisions of the Master Settlement Agreement and a list of exhibits in excess of fifty (50) pages was filed along with the motion.

1.1. Defendants' motion was filed last Friday, on the 27<sup>th</sup> day of October 2006. A copy of the document including a CD Rom was mailed by Fiddler Gonzalez & Rodriguez Law Firm to Attorney General for the Commonwealth of Puerto Rico, Roberto Sánchez Ramos. The Attorney General received the document on Tuesday, the 31<sup>st</sup> day of October

2006.

1.2. Since the Office of Monopolistic Affairs of the Department of Justice is being handled all legal matters related to the above-captioned case the document was referred to such Office and therefore, the undersigned received the document yesterday, on the 2<sup>nd</sup> day of November 2006.

1.3. Upon receipt of the document, this Counsel immediately proceeded to review the motion and documents attached and realized that it contains a large amount of material that needs to be very carefully reviewed before Plaintiff is able to assume a position as to Defendants' request for an order to enforce the arbitration provisions of the Master Settlement Agreement.

1.4. In addition, in the process of drafting a response, the undersigned needs to contact two other governmental agencies and request from them records and documents relating to the above-captioned case. Due to the nature and complexity of this case, the needed information is expected to be voluminous; therefore we need time to review it.

1.5. Obviously, the time left for the undersigned to prepare a document stating the Commonwealth of Puerto Rico's position is too short, since the term of ten (10) days allowed by the Federal Rules of Civil Procedure is to expire on the 6<sup>th</sup> day of November 2006, that is, next Monday.

1.6. In order for undersigned to responsibly prepare to assume a position on behalf of the Commonwealth of Puerto Rico additional time will be needed since the matter in controversy is very sensitive and highly complicated.

1.7. Pursuant to the above, the Commonwealth of Puerto Rico very respectfully request at least thirty (30) additional days, that is, until the 7<sup>th</sup> day of December 2006 to file a response.

**WHEREFORE**, the Commonwealth of Puerto Rico very respectfully request from this Honorable Court to take notice of the above and also grant this motion for enlargement of time until the 7<sup>th</sup> day of December 2006 to file a response.

**I HEREBY CERTIFY** that on this 3<sup>rd</sup> day of November 2006, I electronically filed the foregoing with the Clerk of the Court using the CM/ ECF system which will automatically send notification to the attorneys of record.

**RESPECTFULLY SUBMMITED** in San Juan, Puerto Rico this 3<sup>rd</sup> day of November 2006.

**ROBERTO J. SANCHEZ RAMOS**  
Secretary of Justice

S/*José Diaz Tejera*  
**JOSE G. DIAZ TEJERA**  
Office of Monopolistic Affairs  
USDC-PR Bar No. 216714  
E-mail: jdiaz@justicia.gobierno.pr

S/*Lavy Aparicio Lopez*  
**LAVY APARICIO LOPEZ**  
Attorney at Law  
USDC-PR Bar No. 219503

**Department of Justice of the  
Commonwealth of Puerto Rico**  
P. O. Box 902192  
San Juan, P.R. 00902-0192  
Tel. (787) 474-3374/3375  
Fax No.: (787) 474-3379  
E-Mail: laaparicio@justicia.gobierno.pr